

Notice of Allowability

Application No.

10/797,757

Examiner

Joseph E. Avellino

Applicant(s)

PRUST, MITCH

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Terminal Disclaimer Filed April 28, 2005.
2. ☒ The allowed claim(s) is/are 1-3.
3. ☒ The drawings filed on 09 March 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 8/16/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date herewith
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kent Seiffert on March 28, 2005.

The application has been amended as follows:

Claim 1, line 9: please delete "API" and insert "first access interface".

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:

The prior art of record does not disclose providing for, nor suggests providing for, a plurality of access interfaces integrated into the operating system of the computer. These access interfaces are not external to the operating system, such as application programs utilizing APIs in order to access remote storage devices, thereby providing a seamless network-based remote storage environment which is novel.

The closest prior art of record is Davis et al. (USPN 5,937,160) (cited by Applicant in IDS) (hereinafter Davis). Davis discloses a method of automatically revising a hypertext document via an email message. Although it is disclosed as a method of an access interface, it does not disclose multiple interoperable access

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interfaces for accessing a remote storage areas as claimed by the Applicant. Davis is only concerned with the ability to update a web page using electronic mail (as shown in Figure 6).

For the above reasons, and further in conjunction with the other limitations of the independent claims as well as the terminal disclaimer filed which limits the patentability in accordance with the parent case, patent no. 6,735,623, render the case in condition for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Terminal Disclaimer

3. The terminal disclaimer filed on April 28, 2005 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of patent 6,735,623 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Information Disclosure Statement

4. The Information Disclosure Statement filed March 9, 2004 has been considered. See enclosed PTO-1449.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
6. Buyukkoc et al. (USPN 6,189,043) discloses dynamic cache replication in an Internet environment through routers and server utilizing a reverse tree generation.
7. Elgamal (USPN 5,671,279) discloses electronic commerce using a secure courier system.
8. Banga et al. (USPN 6,240,447) discloses reducing perceived delay between a time data is requested and a time data is available for display.
9. McAllister et al. (USPN 6,442,242) discloses multifunction autoattendant system.
10. McCanne (US 2003/0088696) discloses performing multicast communication in computer networks by using overlay routing.
11. Ganesan (USPN 5,748,735) disclose securing email communications and encrypted file storage using cryptography.
12. Morris (USPN 5,634,052) discloses reducing storage requirements and transmission loads in a backup subsystem in client-server environment by transmitting only delta files from client to server.
13. Kuzma (USPN 5,781,901) discloses transmitting email attachment over a network using an email page.
14. Blakely, Jose (Universal Data Access with OLE DB, IEEE © 1997) discloses an OLE DB API to enable access to all kinds of data sources both database and non-database.

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15. Potel et al. ("Comet Explodes on Jupiter-and the Web" IEEE Computer Graphics and Applications November 1994) discloses problems and general slowdown of the Internet and its functions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (571) 272-3905. The examiner can normally be reached on Monday-Friday 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JEA
May 10, 2005



**WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER**